

**IN THE BOARD OF SUPERVISORS**  
**COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

\_\_\_\_\_ day \_\_\_\_\_, 2016

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. 2016 - \_\_\_\_\_

RESOLUTION TO AMEND THE SAN LUIS OBISPO SAN LUIS OBISPO COUNTY GENERAL PLAN, LAND USE AND CIRCULATION ELEMENT; THE SAN LUIS BAY INLAND SUB AREA OF THE SAN LUIS OBISPO AREA PLAN; THE OFFICIAL MAPS - PART III OF THE LAND USE ELEMENT/LOCAL COASTAL PLAN (ESTERO AREA PLAN); THE SAN LUIS OBISPO SUB AREA OF THE SAN LUIS OBISPO AREA PLAN; TITLE 22 OF THE COUNTY CODE - THE LAND USE ORDINANCE; AND APPROVAL OF ENVIRONMENTAL DOCUMENTS

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use and Circulation Element of the San Luis Obispo General Plan was adopted by the Board of Supervisors on September 22, 1980; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general and specific plans be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after noticed public hearings did recommend amendments to the San Luis Obispo County General Plan, Land Use and Circulation Element; the San Luis Bay Inland Sub Area of the San Luis Obispo Area Plan; the Official Maps - Part III of the Land Use Element/Local Coastal Plan (Estero Area Plan); the San Luis Obispo Sub Area of the San Luis Obispo Area Plan; Title 22 Of the County Code, or otherwise took action recommending said amendments.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the second day of February, 2016, that the San Luis Obispo County General Plan, Land Use and Circulation Element; the San Luis Bay Sub Area of the San Luis Obispo Area Plan; the Official Maps - Part III of the Land Use Element/Local Coastal Plan (Estero Area Plan); the Local Coastal Plan; the San Luis Obispo Sub Area of the San Luis Obispo Area Plan; Title 22 Of the County Code; be amended as follows:

1. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2013-00016:B, attached hereto

and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

2. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps - Part III of the Land Use Element/Local Coastal Plan (Estero Area Plan), by changing the designation for the parcels shown on Exhibit LRP2014-00021:B, attached hereto and incorporated herein as though fully set forth, and pursuant to and pursuant to Public Resources Code, section 30514, authorize submittal to the California Coastal Commission for consideration and certification.

3. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2010-00006:B, attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

4. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code, Section 22.96.050(E)(9)" as such amendment appears on Exhibit LRP2013-00016:C, which is attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

5. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code, Section 22.96.050(E)(10)" as such amendment appears on Exhibit LRP2010-00006:C, which is attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

6. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending Title 22 Of The San Luis Obispo County Code, The Land Use Ordinance, By Amending Section 22.30.204 Relating To The Applicability Of Agricultural Offset Requirements" as such amendment appears on Exhibit LRP2015-00006:A, which is attached hereto and incorporated herein as though fully set forth and pursuant to and pursuant to Public Resources Code, section 30514, authorize submittal to the California Coastal Commission for consideration and certification.

7. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending Specific Sections Of The San Luis Obispo County Land Use Ordinance, Title 22 Of The County Code, And The San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 Of The County Code" which is attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that the environmental documents for the above enacted amendments be approved as follows:

1. Regarding the amendment that was processed on the basis of a General Rule Exemption (Mazzone – LRP2013-00016), the Board of Supervisors finds that the activity is covered by a general rule exemption (State CEQA Guidelines section 15061(b)(3)) from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Regarding the amendment that was processed on the basis of a Class 1 Categorical Exemption (Monarch Grove – LRP2014-00021), the Board of Supervisors finds that the activity is covered

by a Class 1 Categorical Exemption (State CEQA Guidelines Section 15301) from the California Environmental Quality Act (CEQA) which covers projects that include the operation, repair, maintenance, permitting, leasing or minor alteration of existing structures or facilities.

3. Regarding the amendment that was processed on the basis of a proposed Mitigated Negative Declaration (Vanderheyden - LRP2010-00006), the Board of Supervisors reviewed and considered the proposed Negative Declaration together with all comments received during the public review process prior to enacting the amendment. Further, on the basis of the initial studies and comments received for the Mitigated Negative Declaration, there is no substantial evidence that the amendment will have a significant effect on the environment; therefore the Board of Supervisors hereby adopts the Mitigated Negative Declaration pursuant to the applicable provisions of the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration prepared reflects the independent judgment of the Board of Supervisors, acting as the lead agency for the amendments.
4. Regarding the amendment that was processed on the basis of a Certified Final Supplemental Environmental Impact Report for the Countywide Water Conservation Program (SCH# 20140810), the Board of Supervisors has determined that this ordinance amendment is consistent with the Certified Final Supplemental Environmental Impact Report for the Countywide Water Conservation Program (SCH# 20140810) per Section 15162 of the California Environmental Quality Act guidelines (Water Ordinance Amendments - LRP2015-00006). This ordinance amendment represents a minor modification to the ordinance evaluated by the FEIR only to correct inconsistencies and such modifications would not have a significant effect on the environment beyond that already disclosed said Certified Final Supplemental Environmental Impact Report. The FEIR reflects the independent judgment of the County of San Luis Obispo, acting as the lead agency for the adoption and amendments.

BE IT FURTHER RESOLVED AND ORDERED that this resolution with respect to Exhibit LRP2014-00021:B shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification without any modifications or amendments to said amendments by the California Coastal Commission and upon acknowledgment by the San Luis Obispo County Board of Supervisors of receipt of the Commission's resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that the local coastal program is intended to be carried out in a manner fully in conformity with the Coastal Act.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinances, further reading of the ordinances in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinances \_\_\_\_\_, said date being \_\_\_\_\_, 2016.

Attachment 1

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and  
on the following roll call vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted.

\_\_\_\_\_  
Chairperson of the Board of Supervisors  
of the County of San Luis Obispo,  
State of California

ATTEST

\_\_\_\_\_  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

  
By: Assistant County Counsel

Dated: January 19, 2016